

Planning, Building and Code Enforcement 200 East Santa Clara Street San José, CA 95113-1905 tel (408) 535-3555 fax (408) 292-6055 Website: www.sanjoseca.gov/planning

	TO BE COMPLETED BY PLANNING STAFF	
FIL	ENUMBER COUNCIL DISTRICT	
QU	JAD# ZONING GENERAL PLAN	DATE
RE	ZONING FILE NUMBER	BY
	TO BE COMPLETED BY APPLICANT (PLEASE PRINT OR TYPE)	
PR	DRESS OF PROPERTY BEING 291 Dallas Dr. CAMBELL	, ca 95008
AS	SESSOR'S PARCELNUMBER(S) 412 -39-022	•
	ASON OF PROTEST I protest the proposed rezoning because See Attachment A	
	Use separate sheet if necessary	•
- 	The property in which I own an undivided interest of at least 51%, and on behalf of which is situated at: (describe property by address and Assessor's Parcel Number)	ch this protest is being filed,
	291 Dallas Dr. CAMBELL OA 95	, oo 8
	41239021	
;	and is now zoned R1-8 District. (in Santa Clara	a County)
-	The undivided interest which I own in the property described in the statement above is	a;
	Fee Interest (ownership)	
	Leasehold interest which expires on	
	Other: (explain)	
•		

SIGNATURE(S) C	F PROTESTA	.NT(S)		
This form must be signed by ONE or more owners of an which such protest is filed, such interest being not merel remaining term of ten years or longer shall be deemed a an eligible protest site is a legal entity other than a pers duly authorized officer(s) of such legal entity. When suc petition shall be signed by the duly authorized officer(s) members of the association.	ly an easement. A in "owner" for purp on or persons, the h legal entity is a h	tenant under a laces of this protest petition one owner's asson, or, in lieu the	ease which est. When shall be si sociation, th	thas a the owner of gned by the ne protest
PRINTNAME Keylo Shango		DAYTIME TELEPHONE#	408-5	59-8600
ADDRESS 291 Dallas Dr	CAMBEL		ATE A	ZIPCODE ダタロンと
SIGNATURE (Notarized)			DATE /	22/10
PRINTNAME		DAYTIME TELEPHONE#		
ADDRESS	СПҮ		ATE	ZIPCODE
SIGNATURE (Notarized)			DATE	
PRINTNAME	<u>. </u>	DAYTIME TELEPHONE#		
ADDRESS	CITY	ST	ATE	ZIPCODE
SIGNATURE (Notarized)			DATE	
PRINTNAME	, ·	DAYTIME TELEPHONE#		
ADDRESS	СПҮ		ATE	ZIPCODE
SIGNATURE (Notarized)			DATE	
PRINTNAME		DAYTIME TELEPHONE#		
ADDRESS	CITY	S	TATE	ZIPCODE
SIGNATURE (Notarized)		-	DATE	
PRINTNAME		DAYTIME TELEPHONE#		
ADDRESS	СПҮ	S	rate .	ZIPCODE
SIGNATURE (Notarized)			DATE	

Use separate sheet if necessary

STATE OF CALIFO	DRNIA)		
COUNTY OF	enta Clara) ss.		
satisfactory evidence acknowledged to me that by his/her/their		enn (s) ame(s) is/are su ne same in his/h	ner/their authorized capa	the basis of nstrument and acity(ies), and
•	NALTY OF PERJURY under	the laws of th	e State of California tha	at the foregoing
paragraph is true at WITNESS n	nd correct. ny hand and official seal.			DIANE M. JAMES Commission # 1733376 Notary Public - Californi Santa Clara County My Comm. Expires Apr 20, 201
<u>LVC@</u> Not	tary Public	9-	(Seal)	
STATE OF CALIFO	RNIA)) ss.		
COUNTY OF)		•
On	before me,	· · · ·	, Notary Public, per _, who proved to me on	the basis of
acknowledged to m that by his/her/their	e-to be the person(s) whose not e that he/she/they executed the signature(s) on the instrument cuted the instrument.	e same in his/h	er/their authorized capa	city(ies), and
I certify under PEN paragraph is true a	NALTY OF PERJURY under nd correct.	the laws of the	e State of California tha	at the foregoing
WITNESS n	ny hand and official seal.			
			(Seal)	
. Not	tary Public			

ATTACHMENT A

TO ZONING PROTEST APPLICATION

I protest -- and respectfully urge the City Council to deny -- the proposed Director Initiated Prezoning (File No. C10-010) ("Prezoning") that would result in the rezoning of my property to R-1-5 Single-Family Residence Zoning District upon annexation to the City of San Jose for the following reasons and with reference to the following facts:

- 1. Prezoning Paves the Way for Streamlined Annexation Without Protest. The Prezoning is proposed in conjunction with -- and is a necessary prerequisite to the City of San Jose's intended streamlined "urban pocket" annexation (pursuant to Government Code § 56375.3) of approximately 103 gross acres, consisting of 330 parcels in unincorporated Santa Clara County, which is commonly known as Cambrian 36. Cambrian 36 encompasses my property and borders both the City of Campbell and the City of San Jose.
- Prezoning Directly Contradicts City of Campbell and Cambrian 36 Property 2. Owners Requests. The Prezoning is the first step of a unilateral effort initiated by the City of San Jose to annex Cambrian 36 – an effort which directly contradicts the stated desire of both the City of Campbell and Cambrian 36 property owners to annex Cambrian 36 into the City of Campbell. In October of 2006, a petition signed by 204 Cambrian 36 property owners was presented to the City of Campbell asking that it be annexed to the City of Campbell. In response, the City of Campbell directed its staff to pursue two different possibilities for annexation of Cambrian 36, one which received preliminary support from City of San Jose staff. Councilmember Judy Chirco, citing an inapplicable 1984 city policy (concerning de-annexation), quashed this effort. Despite this disappointing response, both Campbell's and Cambrian 36 property owners' interest in annexing Cambrian 36 remains unequivocal. As recently expressed in the Mayor of Campbell's letter to the Mayor of San Jose dated September 2, 2010, "Campbell welcomes the annexation of the Cambrian #36 pocket into our city. The residents have Campbell mailing addresses, identify with Campbell, and stated a clear preference to be part of Campbell."
- 3. Prezoning Will Result in Annexation that Will Not Benefit My Property. My property will not benefit from the City of San Jose's intended annexation that will result from the proposed Prezoning. On the contrary, it will result in a downgrade of my current services received from the County of Santa Clara at an increased cost. The City of San Jose does not currently provide Cambrian 36 residents any services and it has not provided any indication that it is capable of meeting the standard of services that we currently receive. Furthermore, it has not resolved the pressing issue of the City's ability to provide fire

- 4. <u>Staff Analysis of Prezoning is Insufficient</u>. Staff has not provided a sufficient analysis of how the proposed Prezoning compares with my property's existing County zoning. For example, it has not explained or analyzed how the permitted and conditional uses in the proposed zone will compare with what uses are currently allowed under my property's existing zoning. Nor has it provided a comparison of floor area ratios and densities etc. Further, it has not provided sufficient analysis of what existing legal uses would become legal non-conforming. As such, it is impossible for me to understand and evaluate the affect of the Prezoning on my property.
- 5. Environmental Review of Prezoning Violates CEQA. Environmental review of the Prezoning has not been conducted in compliance with the California Environmental Quality Act ("CEQA"). the City of San Jose's attempted reliance on the San José 2020 General Plan Environmental Impact Report ("EIR") is legally inadequate. The EIR was certified as complete on August 16, 1994 -- more than 16 years ago -- and is not current nor accurate. Since its certification, new information of substantial importance to the Prezoning that was not known and could not have been known at the time the EIR was certified as complete is now available (such as changes in urban service area, changes in population, changes in provision of services, public infrastructure etc.). As such, a supplemental or subsequent EIR would need to be prepared in order to include new information since the certification date. At the very minimum, an addendum to the EIR is required to make minor corrections or changes. See Public Resources Code § 21166 and 14 Cal. Code Regs § 15162.
- 6. Public Hearing Notice Violated City and State Notice Requirements. Notice for the San Jose Planning Commission August 25th public hearing on the Prezoning failed to comply with the City's own notice policies and State Planning & Zoning notice requirements. Despite repeated requests for deferral from Cambrian 36 property owners based on this insufficient notice as well as lack of staff analysis and inadequate CEQA review, the Planning Commission refused to grant the deferral request and instead recommended the Prezoning for the City Council's approval. As such, the Planning Commission's recommendation is null and void and the City Council's consideration of the Prezoning is premature and does not comply with Municipal Code § 20.120.030(B).



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20MMGT NOTESTALL ELOATION	
TO BE COMPLETED BY PLANNING STAFF	
FILE NUMBER COUNCIL DISTRICT QUAD # ZONING GENERAL PLAN REZONING FILE NUMBER COUNCIL DISTRICT DATE BY	
TO BE COMPLETED BY APPLICANT (PLEASE PRINT OR TYPE)	
ADDRESS OF PROPERTY BEING 29 DA/AS NUCL CAWAS 1/10	9100
ASSESSOR'S PARCEL NUMBER(S) $4/9 - 39 - 02/-00$	
I protest the proposed rezoning because See Attachment A	
Use separate sheet if necessary	
The property in which I own an undivided interest of at least 51%, and on behalf of which this protest is being filed, is situated at: (describe property by address and Assessor's Parcel Number) 3991/451/451/451/451/451/451/451/451/451/45	
4/2-39-02/-00	
and is now zoned R1-8 District. (in Santa Clara County)	
The undivided interest which I own in the property described in the statement above is a: Fee Interest (ownership) Leasehold interest which expires on Other: (explain)	

SIGNATURE(S) OF	F PROTESTA	NT(S)		
This form must be signed by ONE or more owners of an unwhich such protest is filed, such interest being not merely remaining term of ten years or longer shall be deemed an an eligible protest site is a legal entity other than a personally authorized officer(s) of such legal entity. When such petition shall be signed by the duly authorized officer(s) of members of the association.	an easement. A "owner" for purp n or persons, the legal entity is a l	Atenant under a l poses of this profe e protest petition nomeowner's as	lease which h test. When th shall be sigi sociation, the	nas a ne owner of ned by the protest
PRINTNAME Phil 19510		DAYTIME TELEPHONE#		71.5153
ADDRESS 199 DMINS DRIVE	CITY LAMAS	ST U	/ /	ZIPCODE 9806 t
SIGNATURE (Notarized)		,	DATE 9/2	23/10
PRINTNAME	" " " " " 1 1 1 1 1 1 1 1 1 	DAYTIME TELEPHONE#		/
ADDRESS	CITY	ST	ATE	ZIPCODE
SIGNATURE (Notarized)			DATE	
PRINTNAME		DAYTIME TELEPHONE#		
ADDRESS	CITY	ST	ATE	ZIPCODE
SIGNATURE (Notarized)			DATE	
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ADDRESS	CITY		ATE	ZIPCODE
SIGNATURE (Notarized)			DATE	
PRINTNAME		DAYTIME TELEPHONE#		
ADDRESS	CITY	<u> </u>	ATE	ZIPCODE
SIGNATURE (Notarized)			DATE	
Use separate sh	eet if necessary			

STATE OF CALIFORNIA)
COUNTY OF SonTa Clara) ss.)
On 9-23-10 before me, James PhillP Rigglo satisfactory evidence-to be the person(s) whose name acknowledged to me that he/she/they executed the sathat by his/her/their signature(s) on the instrument the person(s) acted, executed the instrument.	me in his/her/their-authorized capacity(ies), and
I certify under PENALTY OF PERJURY under the paragraph is true and correct.	
WITNESS iny hand and official seal. Notary Public	JAMES V. DELONG COMM. #1754619 ONTARY PUBLIC - CALIFORNIA OF SANTA CLARA COUNTY OF COMM. EXPIRES JUNE 30, 2011
STATE OF CALIFORNIA)) ss.
COUNTY OF). ·
onbefore me,satisfactory evidence-to be the person(s) whose name(acknowledged to me that he/she/they executed the satisfact by his/her/their signature(s) on the instrument the person(s) acted, executed the instrument.	me in his/her/their authorized capacity(ies), and
I certify under PENALTY OF PERJURY under the paragraph is true and correct.	laws of the State of California that the foregoing
WITNESS my hand and official seal.	
Notary Public	(Seal)

- 4. <u>Staff Analysis of Prezoning is Insufficient</u>. Staff has not provided a sufficient analysis of how the proposed Prezoning compares with my property's existing County zoning. For example, it has not explained or analyzed how the permitted and conditional uses in the proposed zone will compare with what uses are currently allowed under my property's existing zoning. Nor has it provided a comparison of floor area ratios and densities etc. Further, it has not provided sufficient analysis of what existing legal uses would become legal non-conforming. As such, it is impossible for me to understand and evaluate the affect of the Prezoning on my property.
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- 6. Public Hearing Notice Violated City and State Notice Requirements. Notice for the San Jose Planning Commission August 25th public hearing on the Prezoning failed to comply with the City's own notice policies and State Planning & Zoning notice requirements. Despite repeated requests for deferral from Cambrian 36 property owners based on this insufficient notice as well as lack of staff analysis and inadequate CEQA review, the Planning Commission refused to grant the deferral request and instead recommended the Prezoning for the City Council's approval. As such, the Planning Commission's recommendation is null and void and the City Council's consideration of the Prezoning is premature and does not comply with Municipal Code § 20.120.030(B).



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	TO	BE COMPLETE	ED BY PLANNII	NG STAFF	
FILENUMBER	J GIU	TUIU	COUNCIL		DATE
QUAD#	ZONING	GENERA PLAN	NL	-	DATEBY
REZONING FILE	NUMBER		* *************************************		- вү
	T(7:550 po 6:660 8:46 8:56 8:56 8:56 5:56	ETED BY APP PRINT OR TYPE)		
ADDRESS OF PR PROTESTED	OPERTYBEING 3	11 Dallas J	Drive Co	impbell,	CA 95008
ASSESSOR'S PAF	RCFL NUMBER(S)	+12-39-			
REASONOFPRO					
I protest the pr	oposed rezoning bec	ause See Atta	chment A		
·					

			te sheet if necessa		
The property i	n which I own an undi	vided interest of a	it least 51%, and o	n behalf of wh	ich this protest is being filed,
is situated at:	(describe property b	vided interest of a y address and As	it least 51%, and o	n behalf of wh Number)	
is situated at:	(describe property b 3/1 Dallas	vided interest of a y address and As	it least 51%, and o	n behalf of wh Number)	
is situated at:	(describe property b	vided interest of a y address and As	it least 51%, and o	n behalf of wh Number)	
is situated at:	(describe property b 3/1 Dallas	vided interest of a y address and As Drive	it least 51%, and o ssessor's Parcel I Campbell,	n behalf of wh Number) (A 9500	D8
is situated at:	(describe property b 311 Dallas APN: 412-	vided interest of a y address and As Drive	t least 51%, and o ssessor's Parcel I Campbell,	n behalf of wh Number) (A 9500 Santa Clar	a County)
and is now zo	(describe property by 3 / 1 Dallas APN: 413-	vided interest of a y address and As Drive 39-020	t least 51%, and o ssessor's Parcel I Campbell,	n behalf of wh Number) (A 9500 Santa Clar	a County)
and is now zo	(describe property by 3 / 1 Da I a S APN: 412- soned R1-8	vided interest of a y address and As Or IVO 39-020	t least 51%, and o ssessor's Parcel I Campbell, District. (in	n behalf of wh Number) (A 9500 Santa Clar	a County)
and is now zo	(describe property by 3 /1 /2 /14S APN: 4/3- oned R1-8 interest which I own in	n the property des	t least 51%, and o ssessor's Parcel I Campbell, District. (in	n behalf of wh Number) CA 9500 Santa Clar	a County)

SIGNATURE(S) OF PROTESTANT(S)

This form must be signed by **ONE** or more owners of an undivided interest of at least 51% in the lot or parcel for which such protest is filed, such interest being not merely an easement. A tenant under a lease which has a remaining term of ten years or longer shall be deemed an "owner" for purposes of this protest. When the owner of an eligible protest site is a legal entity other than a person or persons, the protest petition shall be signed by the duly authorized officer(s) of such legal entity. When such legal entity is a homeowner's association, the protest petition shall be signed by the duly authorized officer(s) of such association, or, in lieu thereof, by 51% of the members of the association.

mombors of the doscondition.				
PRINT NAME	 .	DAYTIME	(1100) 2	12/0/0
TIM Jani		DAYTIME TELEPHONE#	<u>(408) 51</u>	
ADDRESS 311 Dallas Drive	Campbe	<i>J</i> 1	P	ZIP CODE 95008
SIGNATURE (Notarized)			DATE 9-0	7-10
PRINTNAME JON Jani		DAYTIME TELEPHONE#	(408)3	377-6868
ADDRESS 311, Dallas Driviu	Camphe	2// S		ZIPCODE
SIGNATURE (Notarized)	y		DATE 9-77-	10
PRINTNAME		DAYTIME TELEPHONE#	• '	
ADDRESS	CITY	SI	TATE	ZIPCODE
SIGNATURE (Notarized)	•	-	DATE	
PRINTNAME		DAYTIME TELEPHONE#		
ADDRESS	CITY	S	TATE	ZIPCODE
SIGNATURE (Notarized)			DATE	
PRINTNAME		DAYTIME TELEPHONE#		
ADDRESS	CITY	S	TATE	ZIPCODE
SIGNATURE (Notarized)			DATE	
PRINTNAME		DAYTIME TELEPHONE#		
ADDRESS	CITY		TATE	ZIPCODE
SIGNATURE (Notarized)			DATE	
Use separate s	heet if necessary	'.		

STATE OF CALIFORNIA)
COUNTY OF Edanta Clara) ss.)
satisfactory evidence-to be the person(s) whose nan acknowledged to me that he/she/they executed the	Notary Public, personally appeared Tant, who proved to me on the basis of ne(s) is are subscribed to the within instrument and same in bis/ber/their authorized capacity(ies), and the person(s), or the entity upon behalf of which the
I certify under PENALTY OF PERJURY under the paragraph is true and correct. WITNESS my hand and official seal. Notary Public	MARIA PEPPER COMM. #1813285 Notary Public · California Santa Clara County My Comm. Expires Sep. 16, 2012
STATE OF CALIFORNIA COUNTY OF)) ss.)
satisfactory evidence-to be the person(s) whose nam acknowledged to me that he/she/they executed the	
person(s) acted, executed the instrument.	the person(s), or the entity upon behin or which the
I certify under PENALTY OF PERJURY under th paragraph is true and correct.	e laws of the State of California that the foregoing
WITNESS my hand and official seal.	
	(Seal)
Notary Public	

ATTACHMENT A

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TO BE COMPLETED BY PLANNING STAFF	
FILE NUMBER C 1 0 - U 1 0 COUNCIL DISTRICT QUAD # ZONING GENERAL PLAN REZONING FILE NUMBER	DATE
TEZOIAINOTILE NOIVIDEN	
TO BE COMPLETED BY APPLICANT (PLEASE PRINT OR TYPE)	
ADDRESS OF PROPERTY BEING 321 Dallas Dr	
ASSESSOR'S PARCEL NUMBER(S) 412-39-019	
REASONOFPROTEST	- Parket
I protest the proposed rezoning because See Attachment A	
Use separate sheet if necessary The property in which I own an undivided interest of at least 54%, and an included interest of at least 54%, and an included interest of at least 54%.	
The property in which I own an undivided interest of at least 51%, and on behalf of which is situated at: (describe property by address and Assessor's Parcel Number)	ch this protest is being filed,
Private home 3BR 2Ba	
412-39-019	
and is now zoned R1-8 District. (in Santa Clara	County)
The undivided interest which I own in the property described in the statement above is	a:
Fee Interest (ownership)	
Leasehold interest which expires on	
Other: (explain)	
Unon (explain)	

SIGNATURE(S) OF PROTEST	TANT(S)		
This form must be signed by ONE or more owners of an undivided interwhich such protest is filed, such interest being not merely an easement, remaining term of ten years or longer shall be deemed an "owner" for pure an eligible protest site is a legal entity other than a person or persons, duly authorized officer(s) of such legal entity. When such legal entity is petition shall be signed by the duly authorized officer(s) of such association.	A tenant under a urposes of this pro the protest petition a homeowner's as	lease which otest. Whe on shall be ssociation	ch has a en the owner of signed by the , the protest
PRINTNAME TONY Clements	DAYTIME TELEPHONE#	. 408°	377-3493
ADDRESS 321 Dallas Dr. Campbe	ell s	TATE A	ZIP CODE GJ COS
SIGNATURE (Notarized)		DATE 9	122/10
PRINTNAME Linda Clements	DAYTIME TELEPHONE#	₊ 408/	679-1751
ADDRESS 321 Dallas Dr. Cam	obell &	TATE	95008
SIGNATURE (Notarized) Linda Clements		DATE 9	125/10
PRINTNAME	DAYTIME TELEPHONE#	•	
ADDRESS CITY		TATE	ZIPCODE
SIGNATURE (Notarized)		DATE	
PRINTNAME	DAYTIME TELEPHONE#	ŧ	
ADDRESS CITY		TATE	ZIPCODE
SIGNATURE (Notarized)		DATE	
PRINTNAME	DAYTIME TELEPHONE#	Ł	
ADDRESS CITY		TATE	ZIPCODE
SIGNATURE (Notarized)		DATE	***************************************
PRINTNAME	DAYTIME TELEPHONE#	ŧ	
ADDRESS CITY		TATE	ZIPCODE
SIGNATURE (Notarized)		DATE	

Use separate sheet if necessary

STATE OF CALIFORNIA)
COUNTY OF Santa Clara) ss.
On 9-21-10 before me, James V. Delong. Notary Public, personally appeared who proved to me on the basis of satisfactory evidence-to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.
WITNESS my hand and official seal. JAMES V. DELONG COMM. #1754619 NOTARY PUBLIC - CALIFORNIA SANTA CLARA COUNTY COMM. EXPIRES JUNE 30, 2011 Notary Public (Seal)
STATE OF CALIFORNIA) COUNTY OF Sanfa Clara) ss.
On Sept 25, 2010 before me, DIANEM TAMES , Notary Public, personally appeared who proved to me on the basis of satisfactory evidence-to be the person(x) whose name(x) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(196), and that by his/her/their signature(x) on the instrument the person(x), or the entity upon behalf of which the person(x) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Notary Public

(Seal)



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	TO BE CO	MPLETED	BY PLANNING STAFF	
	0-010		COUNCIL DISTRICT	DATE
QUAD# ZC	oning	GENERAL PLAN		
REZONING FILE NUMBER				BY
			TED BY APPLICANT RINT OR TYPE)	
ADDRESS OF PROPERTY PROTESTED	BEING 912	Stan	realmost ide . 1	Ramsboll Ca
ASSESSOR'S PARCEL NUI	MBER(S)	-41-	vehvast Ay · C 021-00	William, C.
REASON OF PROTEST I protest the proposed r				***************************************
	Us	e separate s	sheet if necessary	
			east 51%, and on behalf of whicessor's Parcel Number)	ch this protest is being filed,
	922	2500	WehvEST Wy	· Chappell
	4	112-4	40-021-00	<i>V</i>
and is now zoned R1	1-8		District. (in Santa Clara	ı County)
The undivided interest v	which I own in the pro	perty descri	ibed in the statement above is	a:
Fee Interes	et (ownership)			
Leasehold	interest which expire	s on		
Other: (exp	olain)			

SIGNATURE(S) OF PROTESTANT(S)

This form must be signed by **ONE** or more owners of an undivided interest of at least 51% in the lot or parcel for which such protest is filed, such interest being not merely an easement. A tenant under a lease which has a remaining term of ten years or longer shall be deemed an "owner" for purposes of this protest. When the owner of an eligible protest site is a legal entity other than a person or persons, the protest petition shall be signed by the duly authorized officer(s) of such legal entity. When such legal entity is a homeowner's association, the protest petition shall be signed by the duly authorized officer(s) of such association, or, in lieu thereof, by 51% of the members of the association.

PRINTNAME JOANNE BUGSE ANDRAGE		DAYTIME TELEPHONE#	408):	377-2052
ADDRESS 922 STONEHUST WAY	CITY	bell s	TATE	ZIPCODE 95108
SIGNATURE (Notarized) Amba Ve			DATE 9/2	22/10
PRINTNAME /		DAYTIME TELEPHONE#		
ADDRESS	CITY	S	TATE	ZIPCODE
SIGNATURE (Notarized)			DATE	
PRINTNAME		DAYTIME TELEPHONE#		
ADDRESS	CITY	S	TATE	ZIPCODE
SIGNATURE (Notarized)			DATE	
PRINTNAME		DAYTIME TELEPHONE#	-	
ADDRESS	CITY	S	TATE	ZIPCODE
SIGNATURE (Notarized)		-	DATE	
PRINTNAME		DAYTIME TELEPHONE#	·	
ADDRESS	CITY	S	TATE	ZIPCODE
SIGNATURE (Notarized)			DATE	
PRINTNAME		DAYTIME TELEPHONE#	:	
ADDRESS	СПҮ		TATE	ZIPCODE
SIGNATURE (Notarized)			DATE	
Use separate sheet	if necessary	/	<u> </u>	

STATE OF CALIFO	ORNIA)		
COUNTY OF <u>J</u>	MJA CUMA)	SS.	
acknowledged to n that by his/her/thei	ne that he/ehe/they executed	the same in	, Notary Public, personally, who proved to me on the ba fare subscribed to the within instrum on his/per/their authorized capacity(ie son(s), or the entity upon behalf of w	s), and
paragraph is true a		r the laws	M. S. LUCIO Commission # 1796 Notary Public - Calife Santa Clara Cour My Comm. Expres May 22 (Seal)	411 sornia salay
STATE OF CALIFC	DRNIA)	SS.	
acknowledged to m that by his/her/their	re-to be the person(s) whose rethat he/she/they executed t	name(s) is/a the same in	, Notary Public, personally, who proved to me on the bas are subscribed to the within instruments his/her/their authorized capacity(ies son(s), or the entity upon behalf of w	sis of ent and s), and
•	NALTY OF PERJURY under	r the laws o	of the State of California that the f	oregoing
WITNESS n	ny hand and official seal.			
Not	tary Public		(Seal)	

ATTACHMENT A

TO ZONING PROTEST APPLICATION

I protest -- and respectfully urge the City Council to deny -- the proposed Director Initiated Prezoning (File No. C10-010) ("Prezoning") that would result in the rezoning of my property to R-1-5 Single-Family Residence Zoning District upon annexation to the City of San Jose for the following reasons and with reference to the following facts:

- 1. Prezoning Paves the Way for Streamlined Annexation Without Protest. The Prezoning is proposed in conjunction with -- and is a necessary prerequisite to the City of San Jose's intended streamlined "urban pocket" annexation (pursuant to Government Code § 56375.3) of approximately 103 gross acres, consisting of 330 parcels in unincorporated Santa Clara County, which is commonly known as Cambrian 36. Cambrian 36 encompasses my property and borders both the City of Campbell and the City of San Jose.
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- 3. Prezoning Will Result in Annexation that Will Not Benefit My Property. My property will not benefit from the City of San Jose's intended annexation that will result from the proposed Prezoning. On the contrary, it will result in a downgrade of my current services received from the County of Santa Clara at an increased cost. The City of San Jose does not currently provide Cambrian 36 residents any services and it has not provided any indication that it is capable of meeting the standard of services that we currently receive. Furthermore, it has not resolved the pressing issue of the City's ability to provide fire

- 4. <u>Staff Analysis of Prezoning is Insufficient</u>. Staff has not provided a sufficient analysis of how the proposed Prezoning compares with my property's existing County zoning. For example, it has not explained or analyzed how the permitted and conditional uses in the proposed zone will compare with what uses are currently allowed under my property's existing zoning. Nor has it provided a comparison of floor area ratios and densities etc. Further, it has not provided sufficient analysis of what existing legal uses would become legal non-conforming. As such, it is impossible for me to understand and evaluate the affect of the Prezoning on my property.
- 5. Environmental Review of Prezoning Violates CEQA. Environmental review of the Prezoning has not been conducted in compliance with the California Environmental Quality Act ("CEQA"). the City of San Jose's attempted reliance on the San José 2020 General Plan Environmental Impact Report ("EIR") is legally inadequate. The EIR was certified as complete on August 16, 1994 -- more than 16 years ago -- and is not current nor accurate. Since its certification, new information of substantial importance to the Prezoning that was not known and could not have been known at the time the EIR was certified as complete is now available (such as changes in urban service area, changes in population, changes in provision of services, public infrastructure etc.). As such, a supplemental or subsequent EIR would need to be prepared in order to include new information since the certification date. At the very minimum, an addendum to the EIR is required to make minor corrections or changes. See Public Resources Code § 21166 and 14 Cal. Code Regs § 15162.
- 6. Public Hearing Notice Violated City and State Notice Requirements. Notice for the San Jose Planning Commission August 25th public hearing on the Prezoning failed to comply with the City's own notice policies and State Planning & Zoning notice requirements. Despite repeated requests for deferral from Cambrian 36 property owners based on this insufficient notice as well as lack of staff analysis and inadequate CEQA review, the Planning Commission refused to grant the deferral request and instead recommended the Prezoning for the City Council's approval. As such, the Planning Commission's recommendation is null and void and the City Council's consideration of the Prezoning is premature and does not comply with Municipal Code § 20.120.030(B).



13.

CITY OF SAN JOSE

Planning, Bullding and Code Enforcement 200 East Santa Clara Street San José, CA 95113-1905 tel (408) 535-3555 fax (408) 292-6055 Website: www.sanjoseca.gov/planning

	TO BE COMPLETED BY PLANNING STAFF
	FILENUMBER COUNCIL DISTRICT QUAD # ZONING GENERAL PLAN
	REZONING FILE NUMBER BY
	TO BE COMPLETED BY APPLICANT. (PLEASE PRINT OR TYPE)
¥	ADDRESS OF PROPERTY BEING PROTESTED 1166 Normandy Dr. Campbell, CA 95008 ASSESSOR'S PARCEL NUMBER(S)
	REASON OF PROTEST
	I protest the proposed rezoning because See Attachment A
	Use separate sheet if necessary
*	The property in which I own an undivided interest of at least 51%, and on behalf of which this protest is being filled, is situated at: (describe property by address and Assessor's Parcel Number) $\Delta PN \not\approx 4/4-02-056$
	APN# 414-02-056 1166 NORMANDY DR. CAMPBELL, CA 95008
	and is now zoned R1-8 District. (in Santa Clara County)
~ <i>U</i>	The undivided interest which I own in the property described in the statement above is a:
¥	Fee Interest (ownership)
	Leasehold interest which expires on Other: (explain)
•	

SIGNATURE(S) OF PROTESTANT(S)

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petition shall be signed by the duly authorized office members of the association.	er(s) of such associati	on, or, in lieu the	ereot, by 5	1% of the
PRINTNAME MARIA BENIK		DAYTIME TELEPHONE#		377-4034
ADDRESS 1166 Normandy Dr.	Campbel	// 	TATE A	ZIPCODE 95008
SIGNATURE (Notarized)	2		DATE 9	127/10
PRINTNAME ANDRET BENIK		DAYTIME TELEPHONE#		
ADDRESS 1166 NORMANDY Dr.	CITY CAMPBEL	<u> </u>		ZIPCODE 75 608
SIGNATURE (Notarized)			DATE 9	127/2012
PRINTNAME		DAYTIME TELEPHONE#		
ADDRESS	CITY	Sī	TATE	ZIPCODE
SIGNATURE (Notarized)		,	DATE	
PRINTNAME		DAYTIME TELEPHONE#		
ADDRESS	CITY	S	rate .	ZIPCODE
SIGNATURE (Notarized)	· ·		DATE	
PRINTNAME		DAYTIME TELEPHONE#		
ADDRESS	CITY	S	TATE	ZIPCODE
SIGNATURE (Notarized)			DATE	
PRINTNAME		DAYTIME TELEPHONE#		
ADDRESS	СПҮ	S	TATE	ZIPCODE
SIGNATURE (Notarized)			DATE	
Use separ	ate sheet if necessary			

STATE OF CALIFORNIA COUNTY OF Santa Clara)))	SS.	
On 9-27-10 before me Marie A. Benik Andre Satisfactory evidence to be the person(s) acknowledged to me that he/she/they exthat by his/her/their signature(s) on the person(s) acted, executed the instrument I certify under PENALTY OF PERJUR paragraph is true and correct.) whose name(s) is/a xecuted the same in- instrument the perso at.	re subscribed to the w his/her/their authoriz on(s), or the entity up	vithin instrument and sed capacity(ies), and son behalf of which the
WITNESS my hand and official Meelelle C Notary Public		(Seal)	MICHELLE ANTONOWICZ Commission # 1851839 Notary Public - California Santa Clara County My Comm. Expires Jun 1, 2013
STATE OF CALIFORNIA COUNTY OF)	SS.	
on before me satisfactory evidence-to be the person(s) acknowledged to me that he/she/they ex hat by his/her/their signature(s) on the i person(s) acted, executed the instrument	whose name(s) is/ar ecuted the same in h instrument the perso	who proved to e subscribed to the w nis/her/their authorize	rithin instrument and ed capacity(ies), and
I certify under PENALTY OF PERJUR paragraph is true and correct.		f the State of Califor	nia that the foregoing
WITNESS my hand and official s	seal.		
Notary Public	.	(Seal)	

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TO BE COMPLETED BY PLANNING STAFF
FILE NUMBER COUNCIL DISTRICT DATE DATE BY
REZONING FILE NUMBER
TO BE COMPLETED BY APPLICANT. (PLEASE PRINT OR TYPE)
ADDRESS OF PROPERTY BEING 300 DALLAS DRIVE, CAMPBELL
ASSESSOR'S PARCEL NUMBER(S) 412-39-029
REASON OF PROTEST I protest the proposed rezoning because See Attachment A
Use separate sheet if necessary
The property in which I own an undivided interest of at least 51%, and on behalf of which this protest is being filed, is situated at: (describe property by address and Assessor's Parcel Number) 300 DALLAS DRIVE, CAMPBELL
PARCEL 412-39-029
and is now zoned R1-8 District. (in Santa Clara County)
The undivided interest which I own in the property described in the statement above is a:
Fee Interest (ownership)
Leasehold interest which expires on
Other: (explain)

SIGNATURE(S) OF PROTESTANT(S)

This form must be signed by **ONE** or more owners of an undivided interest of at least 51% in the lot or parcel for which such protest is filed, such interest being not merely an easement. A tenant under a lease which has a remaining term of ten years or longer shall be deemed an "owner" for purposes of this protest. When the owner of an eligible protest site is a legal entity other than a person or persons, the protest petition shall be signed by the duly authorized officer(s) of such legal entity. When such legal entity is a homeowner's association, the protest petition shall be signed by the duly authorized officer(s) of such association, or, in lieu thereof, by 51% of the members of the association.

ADDRESS 300 DALLAS DRIVE C		DAYTIME TELEPHONE#	408-472-2	
ADDRESS 300 DALLAS DRIVE C	AMBELL	ST C	ATE ZIPCO 4 9500	4
SIGNATURE (Notarized)			DATE 9-25-	10
PRINTNAME		DAYTIME TELEPHONE#		
ADDRESS	СПҮ	Sī	TATE ZIPCO	DDE
SIGNATURE (Notarized)			DATE	
PRINTNAME		DAYTIME TELEPHONE#		
ADDRESS	CITY	ST	TATE ZIPCC	DDE
SIGNATURE (Notarized)			DATE	
PRINTNAME		DAYTIME TELEPHONE#		
ADDRESS	CITY	S	TATE ZIPCO	ODE
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ADDRESS	CITY	S	TATE ZIPCO	ODE
SIGNATURE (Notarized)		,	DATE	
PRINTNAME		DAYTIME TELEPHONE#		
ADDRESS	СПҮ	S	TATE ZIPCO	ODE
SIGNATURE (Notarized)			DATE	
Use separate sh	eet if necessary			

STATE OF CALIFORNIA) COUNTY OF Soula Clara) ss.)	
On SOLD before me, While Notary Public, personally appeared who proved to me on the basis of satisfactory evidence-to be the person of whose name (s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity (ixs), and that by his/her/their signature(s) on the instrument the person (s), or the entity upon behalf of which the person (s) acted, executed the instrument.	
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.	
WITNESS my hand and official seal. DIANE M. JAI Commission # 1 Notary Public - C Santa Clara C My Comm. Expires Ar	733376 alifornia county
STATE OF CALIFORNIA) COUNTY OF) SS.	
On	
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.	
WITNESS my hand and official seal.	
(Seal)	



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	ТО	BE COMPLETED BY PLANNING S	TAFF
FILENUMBER		COUNCIL DISTRICT	DATE
QUAD#	ZONING	GENERAL PLAN	DATE
REZONINGFILEN	LUMBER	1.000	BY.
		TO BE COMPLETED BY APPLICA (PLEASE PRINT OR TYPE)	
ADDRESS OF PROPERTY OF PROPERT	PERTYBEING	405 Carther	Alle Compbell
ASSESSOR'S PAR	CELNUMBER(S)		00
REASON OF PRO	TEST	ecause See Attachment A	
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I protest the pro			
		Use separate sheet if necessary	
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The property in	which I own an und	Use separate sheet if necessary divided interest of at least 51%, and on bel	nalf of which this protest is being file
The property in	which I own an und	Use separate sheet if necessary divided interest of at least 51%, and on bel	nalf of which this protest is being file
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The property in is situated at: (which I own an und describe property 5 Cur 412 — ned <u>R1-8</u>	Use separate sheet if necessary divided interest of at least 51%, and on bei by address and Assessor's Parcel Number Ther Aver Cam - 39-046-00	naif of which this protest is being file ber))) e(/ nta Clara County)
The property in is situated at: (which I own an und describe property 5 Cur 4 1 2 -	Use separate sheet if necessary divided interest of at least 51%, and on being address and Assessor's Parcel Number Aver Campage Campage District. (in Sate in the property described in the statement	naif of which this protest is being file ber))) e(/ nta Clara County)
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The property in is situated at: (which I own an und describe property	Use separate sheet if necessary divided interest of at least 51%, and on being address and Assessor's Parcel Number Aver Campage Campage District. (in Sate in the property described in the statement	nalf of which this protest is being file ber) A B Clara County) It above is a:

SIGNATURE(S) OF PROTESTANT(S)

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PRINTNAME Beverly J. Bou	udeN	DAYTIME TELEPHONE#	408-	377-4117
ADDRESS	Campbell	ST C 0	ATE	ZIPCODE 95008
SIGNATURE (Notarized) Signature (Notarized)			DATE	,
PRINTNAME		DAYTIME TELEPHONE#		:
ADDRESS	CITY	ST	TATE	ZIPCODE
SIGNATURE (Notarized)			DATE	
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PRINTNAME		DAYTIME TELEPHONE#		
ADDRESS	СПҮ		TATE	ZIPCODE
SIGNATURE (Notarized)			DATE	
Use separa	te sheet if necessary			

STATE OF CAI	LIFORNIA)	SS.	
COUNTY OF _	SANTA CLARRA)		
acknowledged that by his her	ABCC 27 Zobefore me, Down School 20 January January Bown School 20 J	l the same in hi	is/her/their authorize	ed capacity(ies), and
I certify under paragraph is tr	r PENALTY OF PERJURY undrue and correct.	er the laws of	DON	nia that the foregoing KIM # 1806013
WITNI	ESS my hand and official seal. Notary Public	TO THE PROPERTY OF	Notary Publi Santa Cla	c - California ra County res Aug 3, 2012
STATE OF CA	LIFORNIA)	ss.	
		,		•
satisfactory evi acknowledged that by his/her,	before me, idence-to be the person(s) whose to me that he/she/they executed /their signature(s) on the instrumant.	e name(s) is/are	, who proved to e subscribed to the w is/her/their authoriz	me on the basis of vithin instrument and ed capacity(ies), and
	r PENALTY OF PERJURY und rue and correct.	ler the laws of	the State of Califo	rnia that the foregoing
WITN	ESS my hand and official seal.			
			(Seal)	
	Notary Public			

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	ТО	BE COMPLETED BY PLANNING STA	
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QUAD#	ZONING	GENERAL PLAN	BY
REZONING FILEN	IUMBER	,	BY
		O BE COMPLETED BY APPLICAN (PLEASE PRINT OR TYPE)	Tennesis in security of the second se
ADDRESS OF PROPROTESTED	DPERTYBEING	417 CURTHER AVE.	
ASSESSOR'S PAR	CELNUMBER(S)		
REASON OF PRO	TEST	cause See Attachment A	
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I protest the pro	oposed rezoning bed	Use separate sheet if necessary	
The property in	which I own an und	Use separate sheet if necessary livided interest of at least 51%, and on behal by address and Assessor's Parcel Number	f of which this protest is being filed,
The property in	which I own an und describe property b	Use separate sheet if necessary livided interest of at least 51%, and on behaliby address and Assessor's Parcel Number	f of which this protest is being filed,
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This form must be signed by **ONE** or more owners of an undivided interest of at least 51% in the lot or parcel for which such protest is filed, such interest being not merely an easement. A tenant under a lease which has a remaining term of ten years or longer shall be deemed an "owner" for purposes of this protest. When the owner of an eligible protest site is a legal entity other than a person or persons, the protest petition shall be signed by the duly authorized officer(s) of such legal entity. When such legal entity is a homeowner's association, the protest petition shall be signed by the duly authorized officer(s) of such association, or, in lieu thereof, by 51% of the members of the association.

PRINTNAME F. SCRH995		DAYTIME TELEPHONE#	408-371	1-0872
ADDRESS CHRTNER AVE.	Campbe Campbe	S	rate alif.	ZIPCODE 95005
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Use separate	sheet if necessary			

STATE OF CALIFORNIA)
COUNTY OF Santa Clara) ss.
On 9-27-2010 before me, Michelle Antonomica, Notary Public, personally appeared who yellow for Scruggs, who proved to me on the basis of satisfactory evidence-to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct. MICHELLE ANTONOWICZ
WITNESS my hand and official seal. Withelle Antonowicz Commission # 1851839 Notary Public - California Santa Clara County My Comm. Expires Jun 1, 2013 Notary Public (Seal)
STATE OF CALIFORNIA
COUNTY OF
On
person(s) acted, executed the instrument.
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.
WITNESS my hand and official seal.
(Seal) Notary Public

- 4. <u>Staff Analysis of Prezoning is Insufficient</u>. Staff has not provided a sufficient analysis of how the proposed Prezoning compares with my property's existing County zoning. For example, it has not explained or analyzed how the permitted and conditional uses in the proposed zone will compare with what uses are currently allowed under my property's existing zoning. Nor has it provided a comparison of floor area ratios and densities etc. Further, it has not provided sufficient analysis of what existing legal uses would become legal non-conforming. As such, it is impossible for me to understand and evaluate the affect of the Prezoning on my property.
- 5. Environmental Review of Prezoning Violates CEQA. Environmental review of the Prezoning has not been conducted in compliance with the California Environmental Quality Act ("CEQA"). the City of San Jose's attempted reliance on the San José 2020 General Plan Environmental Impact Report ("EIR") is legally inadequate. The EIR was certified as complete on August 16, 1994 more than 16 years ago and is not current nor accurate. Since its certification, new information of substantial importance to the Prezoning that was not known and could not have been known at the time the EIR was certified as complete is now available (such as changes in urban service area, changes in population, changes in provision of services, public infrastructure etc.). As such, a supplemental or subsequent EIR would need to be prepared in order to include new information since the certification date. At the very minimum, an addendum to the EIR is required to make minor corrections or changes. See Public Resources Code § 21166 and 14 Cal. Code Regs § 15162.
- 6. Public Hearing Notice Violated City and State Notice Requirements. Notice for the San Jose Planning Commission August 25th public hearing on the Prezoning failed to comply with the City's own notice policies and State Planning & Zoning notice requirements. Despite repeated requests for deferral from Cambrian 36 property owners based on this insufficient notice as well as lack of staff analysis and inadequate CEQA review, the Planning Commission refused to grant the deferral request and instead recommended the Prezoning for the City Council's approval. As such, the Planning Commission's recommendation is null and void and the City Council's consideration of the Prezoning is premature and does not comply with Municipal Code § 20.120.030(B).